

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

United States of America,

Plaintiff,

vs.

Michael Wayne Parsons,

Defendant.

4:17-CR-3038

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Trial in this matter is currently set to begin on August 6, 2018. [Filing 115](#). However, the defendant has filed an objection ([filing 128](#)) to the Magistrate Judge's findings and recommendation ([filing 125](#)) recommending that his motion to suppress ([filing 108](#)) and motion to dismiss ([filing 116](#)) be denied. The government's 14-day response time elapsed yesterday, *see* [NECrimR 59.2\(a\)](#), so the objection is actually under advisement as of today.

In order to fully consider the defendant's objection and serve the ends of justice, trial in this matter will be continued to August 28, 2018. The time between today's date and August 28 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act. [18 U.S.C. §§ 3161\(h\)\(1\)\(D\), \(h\)\(1\)\(H\), & \(h\)\(7\)\(A\)](#); *see United States v. Blankenship*, 67 F.3d 673, 677 (8th Cir. 1995); *United States v. Long*, 900 F.2d 1270, 1274-76 (8th Cir. 1990).

IT IS ORDERED:

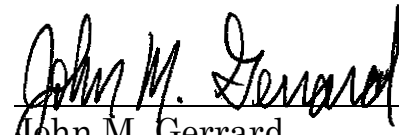
1. Trial of this case is set to commence before the undersigned in Courtroom 1 (Special Proceedings), Roman L. Hruska

Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on August 28, 2018, or as soon thereafter as the case may be called, for a duration of three to four trial days. Jury selection will be held at commencement of trial.

2. The ends of justice served by continuing the trial outweigh the interests of the public and the defendant in a speedy trial, and the time between today's date and August 28, 2018 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because additional time is required to adequately consider the defendant's pretrial motions.

Dated this 31st day of July, 2018.

BY THE COURT:



John M. Gerrard
United States District Judge